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February 23, 2017

VIA ECF AND E-MAIL

The Honorable Valerie Caproni
U.S. District Court for the Southern District of New York
40 Foley Square, Room 240
New York, NY 10007
E-mail: CaproniNYSDChambers@nysd.uscourts.gov

Re: *Sabahnor El Handi v. Accor Business and Leisure North America, Inc. et al.*
Case No. 1:16-cv-09270 (VEC) (KHP)

Dear Judge Caproni:

This Firm represents Defendants Accor Business and Leisure North America, Inc. and Fifty Second Street Hotel Associates, LLC d/b/a Novotel New York (together, "Defendants") in the above-referenced action. We write in response to Plaintiff Sabahnor El Handi's ("Plaintiff") requests to postpone mediation until the conclusion of discovery and for the Court to schedule an initial conference at this time (Doc. No. 37).

Defendants oppose Plaintiff's requests for several reasons. First, Plaintiff's counsel, Mr. Harman, neglected to contact me to inquire as to whether Defendants consent to the requests prior to making the requests and therefore failed to adhere to the conferral requirement set forth in Rule 1(A) of your Honor's Individual Rules of Practice. Second, Defendants welcome an opportunity to mediate the case prior to expending significant time and resources on litigation and take advantage of the court process afforded to the parties for the early and amicable resolution of employment discrimination cases such as this one. Third, Defendants disagree with Plaintiff's assessment of the settlement potential for this case. Finally, the requests are inappropriate to the extent Plaintiff suggests that discovery cannot begin if the parties engage in mediation at this time. Defendants will adhere to the Second Amended Standing Administrative Order M10-468 for employment discrimination cases pursuant to which they will produce documents and information specified in the Pilot Discovery Protocols prior to the mediation.

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For all of these reasons, Defendants respectfully request that Your Honor deny Plaintiff's requests to postpone mediation and to set a date for an initial conference at this time. We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Amy J. Traub
Amy J. Traub

AJT/frm

cc: All counsel of record (via ECF)